

1 LATHAM & WATKINS LLP
2 Stephen Stublarec (Bar No. 69451)
3 Paul T. Llewellyn (Bar No. 216887)
4 505 Montgomery Street, Suite 2000
5 San Francisco, California 94111-6538
6 Telephone: (415) 391-0600
Facsimile: (415) 395-8095
Email: Paul.Llewellyn@lw.com

5
6 Attorneys for Plaintiff
PLANTRONICS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 PLANTRONICS, INC., a Delaware corporation,

Plaintiff,

15 AMERICAN HOME ASSURANCE
16 COMPANY, a New York corporation; THE
17 INSURANCE COMPANY OF THE STATE
18 OF PENNSYLVANIA, a Pennsylvania
corporation; ATLANTIC MUTUAL
INSURANCE COMPANY, a New York
corporation,

Defendants.

CASE NO. C07-06038 PVT

**STIPULATION AND [PROPOSED] ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE TO APRIL 22, 2008**

(Honorable Patricia V. Trumbull)

STIPULATION

WHEREAS, the complaint was filed on November 29, 2007;

3 WHEREAS, on November 29, 2007, the Court set an initial case management
4 conference for March 18, 2008;

5 WHEREAS, on January 31, 2008, plaintiff, Plantronics, Inc. (“Plantronics”), filed
6 a motion to stay the action, pending resolution of underlying litigation currently pending against
7 Plantronics, as to which this action relates;

8 WHEREAS, concurrently with its motion to stay proceedings, Plantronics filed a
9 motion for an order shortening time on its motion to stay the action, requesting a hearing date on
10 its motion to stay of February 19, 2008;

WHEREAS, on February 1, 2008, this Court denied Plantronics' motion for an order shortening time on its motion to stay the action;

WHEREAS, that order was specifically without prejudice to Plantronics' seeking a stipulated continuance of the scheduling deadlines;

15 WHEREAS, on February 4, 2008, defendant Atlantic Mutual Insurance Company
16 (“Atlantic Mutual”) filed a motion to dismiss plaintiff’s complaint, which is set for hearing on
17 March 18, 2008;

18 WHEREAS, on February 5, 2008, Plantronics re-filed its motion to stay the
19 action, and set the motion for hearing on March 18, 2008;

WHEREAS, pursuant to the Court's November 29, 2007, order, the parties are to meet and confer regarding initial disclosures by February 26, 2008, and to file their Rule 26(f) reports by March 11, 2008;

WHEREAS, the parties agree that it would be more efficient and it would avoid the possible waste of judicial resources to have the benefit of the Court's rulings on the motion to stay and motion to dismiss before the case management conference is held, and before the parties meet and confer regarding initial disclosures, and they file their Rule 26(f) Reports;

WHEREAS, the parties agree that the case management conference should be continued to April 22, 2008, and the associated scheduling deadlines should be continued

1 accordingly;

2 NOW, THEREFORE, subject to the Court's approval, the parties STIPULATE
3 that the case management conference scheduled for March 18, 2008, be continued to April 22,
4 2008, and that the associated case scheduling deadlines be continued accordingly.

5 IT IS SO STIPULATED.

6 Dated: February \ \ , 2008

LATHAM & WATKINS LLP

7 By: 
8 Paul T. Llewellyn
9 Attorney for Plaintiff
Plantronics, Inc.

10

11 Dated: February __, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

12

13 By: _____
14 Dean A. Pappas
15 Attorney for Defendant
16 Atlantic Mutual Insurance Company

17

18 Dated: February __, 2008

LEWIS BRISBOIS BISGAARD & SMITH

19

20 By: _____
21 Glenn A. Friedman
22 Attorney for Defendants
23 American Home Assurance Company and
24 The Insurance Company of the State of
25 Pennsylvania

26

27

28

1 accordingly;

2 NOW, THEREFORE, subject to the Court's approval, the parties STIPULATE
3 that the case management conference scheduled for March 18, 2008, be continued to April 22,
4 2008, and that the associated case scheduling deadlines be continued accordingly.

5 IT IS SO STIPULATED.

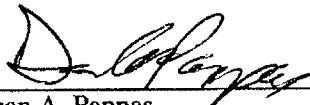
6 Dated: February ___, 2008

LATHAM & WATKINS LLP

7
8 By: _____
9 Paul T. Llewellyn
Attorney for Plaintiff
Plantronics, Inc.

10
11 Dated: February 11, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

12
13 By: 
14 Dean A. Pappas
Attorney for Defendant
Atlantic Mutual Insurance Company

15
16 Dated: February ___, 2008

LEWIS BRISBOIS BISGAARD & SMITH

17
18 By: _____
19 Glenn A. Friedman
Attorney for Defendants
American Home Assurance Company and
The Insurance Company of the State of
Pennsylvania

20
21
22
23
24
25
26
27
28

1 accordingly;

2 NOW, THEREFORE, subject to the Court's approval, the parties STIPULATE
3 that the case management conference scheduled for March 18, 2008, be continued to April 22,
4 2008, and that the associated case scheduling deadlines be continued accordingly.

5 IT IS SO STIPULATED.

6 Dated: February ___, 2008

LATHAM & WATKINS LLP

7
8 By: _____
9 Paul T. Llewellyn
Attorney for Plaintiff
Plantronics, Inc.

10

11 Dated: February ___, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

12

13

By: _____
14 Dean A. Pappas
Attorney for Defendant
Atlantic Mutual Insurance Company

15

16 Dated: February 11, 2008

LEWIS BRISBOIS BISGAARD & SMITH

17

18

By: _____
19 Glenn A. Friedman
Attorney for Defendants
American Home Assurance Company and
The Insurance Company of the State of
Pennsylvania

20

21

22

23

24

25

26

27

28

ORDER

Pursuant to the above stipulation of the parties, and good cause appearing, IT IS ORDERED that the case management conference shall be continued to April 22, 2008, and that the associated case scheduling deadlines shall be continued accordingly.

Dated: February 12, 2008

Patricia V. Trumbull
Patricia V. Trumbull
United States Magistrate Judge